

App'l. No. : 09/818,134
Filed : March 27, 2001

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REMARKS**A. COMMENTS**

Applicant thanks the Examiner for the Examiner's review of the application. In the Office Action mailed December 29, 2006, the Examiner rejected Claims 1-34. In particular, the Examiner rejected Claims 1, 10-13, 15-20, and 25-32 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. US 6,922,702 to Jensen et al. ("Jensen"). The Examiner rejected Claims 3-5, 7-8, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of U.S. Patent No. 6,879,988 to Basin et al. ("Basin"). The Examiner further rejected Claims 2, 14, and 21-23 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of "The Lharc/LHA Archiver" by Mille Babic ("Babic"). The Examiner further rejected Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Basin and further in view of U.S. Patent No. 6,668,244 to Rourke et al. ("Rourke"). The Examiner further rejected Claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Basin and in further view of Babic. The Examiner further rejected Claims 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of "Petite Win32 Executable Compressor" version 2.2 by Luck ("Luck").

Applicant has amended Claims 1, 3, 10-11, 16, 20-22, 24-28, and 30-32. Claim 12 remains as previously presented, and Claims 2, 4-9, 13-15, 17-19, 23, 29, and 33-34 remain as originally filed. Thus, Applicant respectfully requests reconsideration of Claims 1-34.

B. COMMENTS REGARDING 35 U.S.C. § 102(e) PRIOR ART REJECTIONS

The Examiner rejected Claims 1, 10-13, 15-20, and 25-32 under 35 U.S.C. § 102(e) as being anticipated by Jensen. As discussed below, Applicant respectfully disagrees with the Examiner's rejection and respectfully traverses this rejection and the Examiner's characterization of the cited reference.

1. Independent Claim 1

With respect to independent Claim 1, a method is recited for creating, in response to only a single action by a user enabled electronic device, a self-extracting file. Applicant has amended Claim 1 to further clarify its invention. Amended Claim 1 comprises, among other things, "receiving, from a user enabled electronic device, an input file to be used in creating a self-extracting file" and "without further action by the user, creating a self-extracting file using the

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input file, automatically selecting a loader based on the input file's type, and including the loader as part of the self-extracting file such that the loader is configured to automatically launch the input file upon execution of the self-extracting file."

Jensen does not disclose "creating a self-extracting file using the input file, automatically selecting a loader based on the input file's type, and including the loader as part of the self-extracting file such that the loader is configured to automatically launch the input file upon execution of the self-extracting file."

Thus, Applicant respectfully submits that Jensen fails to disclose the claimed subject matter of Claim 1, including each element of Claim 1, and Applicant respectfully requests that the rejection of Claim 1 be withdrawn.

4. Independent Claim 10

The Examiner rejected independent Claim 10 on the basis of the Examiner's analysis of Claim 1. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 1, Claim 10 is believed to be patentable. Since Jensen fails to disclose every element of Claim 10, Applicant respectfully requests that the rejection of Claim 10 be withdrawn.

5. Dependent Claims 11-13 and 15-19

Claims 11-13 and 15-19, which depend from independent Claim 10 and include all the limitations of Claim 10, are believed to be patentable for the same reasons stated above with respect to Claim 10 and because of the additional limitations set forth therein. Since Jensen fails to disclose every element of Claims 11-13 and 15-19, Applicant respectfully requests that the rejection of Claims 11-13 and 15-19 be withdrawn.

6. Independent Claim 20

The Examiner rejected independent Claim 20 on the basis of the Examiner's analysis of Claim 1. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 1, Claim 20 is believed to be patentable. Since Jensen fails to disclose every element of Claim 20, Applicant respectfully requests that the rejection of Claim 20 be withdrawn.

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8. Independent Claim 25

The Examiner rejected independent Claim 25 on the basis of the Examiner's analysis of Claim 10 and Claim 11. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 10 and 11, Claim 25 is believed to be patentable. Since Jensen fails to disclose every element of Claim 25, Applicant respectfully requests that the rejection of Claim 25 be withdrawn.

9. Independent Claim 26

The Examiner rejected independent Claim 26 on the basis of the Examiner's analysis of Claim 1. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 1, Claim 26 is believed to be patentable. Since Jensen fails to disclose every element of Claim 26, Applicant respectfully requests that the rejection of Claim 26 be withdrawn.

10. Independent Claim 27

The Examiner rejected independent Claim 27 primarily on the basis of the Examiner's analysis of Claim 1. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 1, Claim 27 is believed to be patentable. Since Jensen fails to disclose every element of Claim 27, Applicant respectfully requests that the rejection of Claim 27 be withdrawn.

11. Independent Claim 28

The Examiner rejected independent Claim 28 on the basis of the Examiner's analysis of Claim 10 and Claim 11. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 10 and Claim 11, Claim 28 is believed to be patentable. Since Jensen fails to disclose every element of Claim 28, Applicant respectfully requests that the rejection of Claim 28 be withdrawn.

12. Dependent Claim 29

Claim 29, which depends from independent Claim 28 and includes all the limitations of Claim 28, are believed to be patentable for the same reasons stated above with respect to Claim 28 and because of the additional limitations set forth therein. Since Jensen fails to disclose every

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element of Claim 29, Applicant respectfully requests that the rejection of Claim 29 be withdrawn.

13. Independent Claim 30

The Examiner rejected independent Claim 30 on the basis of the Examiner's analysis of Claim 10 and Claim 11. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 10 and Claim 11, Claim 30 is believed to be patentable. Since Jensen fails to disclose every element of Claim 30, Applicant respectfully requests that the rejection of Claim 30 be withdrawn.

14. Independent Claim 31

The Examiner rejected independent Claim 31 on the basis of the Examiner's analysis of Claim 27. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 27, Claim 31 is believed to be patentable. Since Jensen fails to disclose every element of Claim 31, Applicant respectfully requests that the rejection of Claim 31 be withdrawn.

15. Independent Claim 32

The Examiner rejected independent Claim 32 on the basis of the Examiner's analysis of Claim 1. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 1, Claim 32 is believed to be patentable. Since Jensen fails to disclose every element of Claim 32, Applicant respectfully requests that the rejection of Claim 32 be withdrawn.

C. COMMENTS REGARDING 35 U.S.C. § 103(a) PRIOR ART REJECTIONS

The Examiner rejected Claims 3-5, 7-8, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Basin. The Examiner further rejected Claims 2, 14, and 21-23 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Babic. The Examiner further rejected Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Basin and further in view of Rourke. The Examiner further rejected Claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Basin and in further view of Babic. The Examiner further rejected Claims 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Luck. As discussed below, Applicant respectfully disagrees with the

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Examiner's rejections and respectfully traverses these rejections and the Examiner's characterization of the cited references.

1. Rejection of Claims 3-5, 7-8, and 24 Over Jensen In View of Basin

a. Independent Claim 3

With respect to independent Claim 3, a method is recited for creating, in response to a single action, a self-extracting file from an associated input file. Applicant has amended Claim 3 to further clarify its invention. Amended Claim 3 comprises, among other things, "in response to only a single action, creating a self-extracting file from the input file, automatically selecting a loader based on the input file's type, and including the loader as part of the self-extracting file such that the loader is configured to automatically launch the input file upon execution of the self-extracting file."

Jensen, alone or in combination with Basin, does not disclose "creating a self-extracting file from the input file, automatically selecting a loader based on the input file's type, and including the loader as part of the self-extracting file such that the loader is configured to automatically launch the input file upon execution of the self-extracting file."

Thus, Applicant respectfully submits that Jensen, alone or in combination with Basin, fails to disclose the claimed subject matter of Claim 3, including each element of Claim 3, and Applicant respectfully requests that the rejection of Claim 3 be withdrawn.

b. Dependent Claims 4-5 and 7-8

Claims 4-5 and 7-8, which depend from independent Claim 3 and include all the limitations of Claim 3, are believed to be patentable for the same reasons stated above with respect to Claim 3 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Basin, fails to disclose every element of Claims 4-5 and 7-8, Applicant respectfully requests that the rejection of Claims 4-5 and 7-8 be withdrawn.

c. Independent Claim 24

The Examiner rejected independent Claim 24 on the basis of the Examiner's analysis of Claim 3. Accordingly, Applicant respectfully submits that for the same reasons as stated above with respect to Claim 3, Claim 24 is believed to be patentable. Since Jensen, alone or in

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combination with Basin, fails to disclose every element of Claim 24, Applicant respectfully requests that the rejection of Claim 24 be withdrawn.

2. Rejection of Claims 2, 14, and 21-23 Over Jensen In View of Babic

a. Dependent Claim 2

Claim 2, which depends from independent Claim 1 and includes all the limitations of Claim 1, is believed to be patentable for the same reasons stated above with respect to Claim 1 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Babic, fails to disclose every element of Claim 2, Applicant respectfully requests that the rejection of Claim 2 be withdrawn.

b. Dependent Claim 14

Claim 14, which depends from independent Claim 11 and includes all the limitations of Claim 11, is believed to be patentable for the same reasons stated above with respect to Claim 11 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Babic, fails to disclose every element of Claim 14, Applicant respectfully requests that the rejection of Claim 14 be withdrawn.

c. Independent Claim 21

With respect to independent Claim 21, a method is recited of creating a self-extracting file. Applicant has amended Claim 21 to further clarify its invention. Amended Claim 21 comprises, among other things, "receiving the input file specified by the user, wherein the received input file is automatically configured as a self-extracting file that includes a loader that has been automatically selected based on the input file's type, and wherein the input file is automatically launched upon execution of the self-extracting file."

Jensen, alone or in combination with Babic, does not disclose "receiving the input file specified by the user, wherein the received input file is automatically configured as a self-extracting file that includes a loader that has been automatically selected based on the input file's type, and wherein the loader is configured to automatically launch the input file upon execution of the self-extracting file."

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Thus, Applicant respectfully submits that Jensen, alone or in combination with Babic, fails to disclose the claimed subject matter of Claim 21, including each element of Claim 21, and Applicant respectfully requests that the rejection of Claim 21 be withdrawn.

d. Independent Claim 22

With respect to independent Claim 22, a system is disclosed for creating a self-extracting file. Applicant has amended Claim 22 to further clarify its invention. Amended Claim 22 comprises, among other things, "a naming module configured to create and name an output file, wherein the output filename is generated from the associated filename of the input file and wherein the naming module receives the input file from the receiving module" as well as "a loader module configured to automatically select a loader based on the input file's type, and to include the loader as part of the self-extracting file such that the loader is configured to automatically launch the input file upon execution of the executable file, wherein the loader module receives the executable file and the input file from the self-extracting module."

Jensen discloses receiving information *from the user* for naming the file. (Page 4, Section 50 ("Operation begins at step 90, with processor 24 receiving input from the author regarding packaging information and preferences. For example, the author is prompted to input an output file name, the name of the directory to be packaged. . . .").) Thus, Jensen, alone or in combination with Babic, does not disclose "a naming module configured to create and name an output file, wherein the output filename is generated from the associated filename of the input file." In addition, Jensen, alone or in combination with Babic, does not disclose "a loader module configured to automatically select a loader based on the input file's type, to include the loader as part of the self-extracting file such that the loader is configured to automatically launch the input file upon execution of the executable file, wherein the loader module receives the executable file and the input file from the self-extracting module."

Thus, Applicant respectfully submits that Jensen, alone or in combination with Babic, fails to disclose the claimed subject matter of Claim 22, including each element of Claim 22, and Applicant respectfully requests that the rejection of Claim 22 be withdrawn.

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e. Dependent Claim 23

Claim 23, which depends from independent Claim 22 and includes all the limitations of Claim 22, is believed to be patentable for the same reasons stated above with respect to Claim 22 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Babic, fails to disclose every element of Claim 23, Applicant respectfully requests that the rejection of Claim 23 be withdrawn.

3. Rejection of Claim 6 Over Jensen In View of Basin and Rourke

Claim 6, which depends from independent Claim 3 and includes all the limitations of Claim 3, is believed to be patentable for the same reasons stated above with respect to Claim 3 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Rourke, fails to disclose every element of Claim 6, Applicant respectfully requests that the rejection of Claim 6 be withdrawn.

4. Rejection of Claim 9 Over Jensen In View of Basin and Babic

Claim 9, which depends from independent Claim 3 and includes all the limitations of Claim 3, is believed to be patentable for the same reasons stated above with respect to Claim 3 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Babic, fails to disclose every element of Claim 9, Applicant respectfully requests that the rejection of Claim 9 be withdrawn.

5. Rejection of Claims 33-34 Over Jensen In View of Luck

Claims 33-34, which depend from independent Claim 32 and includes all the limitations of Claim 32, are believed to be patentable for the same reasons stated above with respect to Claim 32 and because of the additional limitations set forth therein. Since Jensen, alone or in combination with Luck, fails to disclose every element of Claims 33-34, Applicant respectfully requests that the rejections of Claims 33-34 be withdrawn.

D. SUMMARY

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections. Accordingly, the present application is believed to be in condition for allowance, and such allowance is respectfully

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requested. Applicant respectfully requests the Examiner to withdraw the rejections of Claims 1-34 and to pass Claims 1-34 to allowance.

Request For Telephone Interview

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Applicants' undersigned attorney of record hereby formally requests a telephone interview with the Examiner. The Applicants' attorney can be reached at (949) 721-7603 or at the number listed below.

Additional Fees

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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